

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )

Application by Verizon New Jersey Inc., )  
Bell Atlantic Communications, Inc. (d/b/a Verizon )  
Long Distance) NYNEX Long Distance )  
Company (d/b/a Verizon Enterprise Solutions), )  
Verizon Global Networks Inc., and Verizon )  
Select Services Inc., for Authorization To Provide )  
In-Region, InterLATA Services in New Jersey )  
)

WC Docket No. 02-67

**REPLY DECLARATION OF ELLIOT M. GOLDBERG**

1. My name is Elliot M. Goldberg. My business address is 44 Wall Street, New York, New York 10005. Currently, I am the Director of Operations Support Systems and Project Management at Metropolitan Telecommunications (MetTel).
2. I have been involved with Production Control and Project Management issues for 30 years as a Officer in the USAF, an employee of major financial institutions such as Citibank, Chemical Bank, Chase Manhattan Bank and Blue Cross Blue Shield of Greater NY, an independent businessman and as a consultant to various companies including Pfizer and Fleet Bank.
3. The purpose of my Reply Declaration is to respond to the various statements and charts made by Verizon and to provide additional support for Mettel's position.

4. At the FCC Ex Parte hearing held on April 12, 2002, Verizon stated that they considered metrics OR-4-02, OR-4-05, OR-4-09 and OR-4 –10 as metrics of particular importance. Despite this importance Verizon failed to report metrics OR-4-02 and/or 4-10 in the NJ Carrier to Carrier Reports presented as Attachment 15 to the McLean et al Supplemental Declaration. What is important to note, as can be seen by reviewing Exhibit A, is that Verizon failed metric OR-4-02 (UNE) for November and December and OR-4-02 Resale for December of 2001. Metric OR-4-05 (UNE) was failed for November, December and January and Resale failed for both November and December 2001. Metric OR-4-10 (UNE) was failed for November and December 2001. Additionally, the same project PONs that Verizon said were excluded from the OR-4-09 (Exhibit W) calculations (under the grounds that project PONs were excluded from metrics are included in the filed reports for metric OR-4-05 (Attachment 15, page 92). For Metric OR-4-09, Verizon fails both UNE and resale for November, December and January.
5. There is an additional sheet (Attachment 15, page 67) filed with the Carrier to Carrier Performance Reports where Verizon shows “Old Values” and New Values”. For the month of January 2002, the old value for OR-4-9 UNE is \*\*\*\* observations and the score is 89.37%. Evidentially, this lower failing score is the reason to attempt to exclude these observations. MetTel is attaching a copy of the actual project letter which clearly indicates, as we stated at the Ex Parte, that project PONs were not excluded from completion notifier metrics calculation and

only LSRC and Reject metrics were excluded from the reporting requirements, Exhibit B attached hereto. This is essentially the standard Verizon letter that has been used in many MetTel and other CLEC projects.

6. Verizon discusses the effect of Post Completion Discrepancies on the OR-4-09 metric. This explanation might be somewhat more valid if Verizon had presented supportive data, or indeed if Verizon still provided weekly PCD reports as they previously did in New York. When Verizon provided information on PCD's, MetTel's percentage was well under 1%.
7. Despite Verizon's attempts to cloud the issue the facts are clear that accounts that are snipped continue to show usage after the dates on which Verizon claims to have suspended service. Verizon can not make a legitimate claim that a BCN is accurate if usage occurs after the account was reported to have been SNP'd. Exhibit C is an example of data that we have previously submitted but in a more easily understood chart. There are 3 categories of randomly selected SNPs. On the first chart are eight examples of accounts where usage occurred after the SNP and before Restoral date. The second chart is a list of accounts in which the usage occurs after the SNP and before a LOL. The third chart consists of accounts that have usage after the date that Verizon has reported the completion of the SNP. In each case, the relevant provisioning completion dates and usage dates are provided. Verizon has yet to explain how usage can occur on a disconnected

account or concede that the BCN is inaccurate. Exhibits D, E and F, are the back up data that support the charts referred to above.

8. In its Ex Parte filed on April 15, 2002, (Exhibit G) Verizon makes a statement that they checked \*\*\*\* accounts from MetTel's SNP Accuracy Analysis Attachment and determined that MetTel's claims were wrong. In fact Verizon is wrong. Exhibit H, is a list of PON's that were in both MetTel's randomly selected list as well as Verizon's list of 88. Each one shows that usage occurred after SNP and before Restoral with exact completion dates and exact usage dates. As is the case in each of Verizon's explanations its claims are based upon anecdotal evidence which is not supported by the documentation.
9. In its Ex Parte, Verizon attempts to attack the credibility of MetTel's evidence with a misleading claim that "MetTel had attempted to suspend the lines by using a blocking scenario that is not designed for suspension". This is either intentionally false or it shows Verizon's lack of knowledge of its own business rules. Exhibit I is Verizon's Centrex Blocking Rules. Despite Verizon's claim that this is complex, it is simple for anyone to see that usage should not have occurred.
10. Verizon also complained that PONs for certain BTNs were on both Attachments 7& 8 to MetTel's Supplementary Declaration. In fact \*\*\*\* BTNs overlapped out

of \*\*\*\*\* PONs (1.38%). However, the reason for the overlap is simple, in the interval between the generation of the two exhibits, transactions happened.

11. MetTel has repeatedly pointed to the fact that Verizon misdirects long distance usage. Verizon's response is to attempt to misdirect the commission's attention by making irrelevant claims. The first point that Verizon makes is that 12.4% of MetTel's migration during that period did not request MetTel's usual pre-subscribed carrier. This is unrelated and has no bearing on the issue of misdirected long distance usage. It is a clear attempt to confuse the Commission. The second point is that 76.8% category 11 records includes toll free calls casually dialed calls and terminating usage. Again this is irrelevant. This general statement has nothing to do with the specific data that shows that Verizon is misdirecting long distance that should be going to CIC 5237. Verizon is simply throwing out unrelated statements with percentages attached.

12. Instead of attempting to misdirect the commission, MetTel points to specific instances in a manner designed to Verizon staff specifications and with queries reviewed with Verizon staff. Therefore Verizon knows, full well, that MetTel's data is valid. MetTel's data shows (for December 2001, on a per PON basis) 9.66% of the first call calls after the completion are improperly routed. In MetTel's chart illustrating the total call distribution among CICs for randomly selected PONs (Exhibit J) after PIC Change completion only \*\*\*\*\* of \*\*\*\*\* calls were correctly routed to the pre-selected carrier. The exact supporting data is set

forth on Exhibit K and copies of the associated LSRs (Exhibit L), PCNs (Exhibit M) and BCNs (Exhibit N) are contained in the relevant attachments.

13. During the Ex Parte discussion of MetTel's Accuracy Issues, it was noted that a valid demonstration of the Verizon OSS's ability to properly provision customers to commence and cease usage would be the existence of usage on lines that had previously been included on a Verizon Loss of Line Report. MetTel is including a list of \*\*\*\* lines where usage was incurred by the end user and charged to MetTel after the Loss of Line effective date (Exhibit P). The range of dates for which this post loss usage was incurred was from 1 day to 54 days. The 50<sup>th</sup> percentile was not reached until 2.06 days and the 95<sup>th</sup> percentile was not reached until 33.2 days. Thus, MetTel has clearly demonstrated Verizon's noted failure to properly cease directing usage after they have notified MetTel of the loss of the customer. By extension, this proves MetTel's contention that Verizon does not commence usage upon customer accession since the provider who gained these customers did not properly receive the usage sent to MetTel unless Verizon was billing both providers. More generally, MetTel has illustrated that Verizon has an OSS problem with properly commencing and ceasing the direction of end user usage to the proper provider.
14. MetTel illustrated Verizon's problems with correct cessation of usage (and by extension correct commencement of usage). However, to the specific point of these Trouble Tickets, MetTel is attaching a list of \*\*\*\* PONs. Of these, only \*\*\*\*\* have been resolved and \*\*\*\* of these were resolved by receiving a Loss of

Line Report. It took from 12 to 153 days after the Billing Completion Notice date to receive the Loss of Line Report. For those PONs where usage was received, it took from 1 day (0.1% of the PONs) to 172 days (0.2% of the PONs) with the 50% point at 119 days to receive the usage. It is interesting to compare the time from the 1<sup>st</sup> usage to the point MetTel received that information. 50% of the time, the 1<sup>st</sup> Usage precedes the Receipt of Usage by 8+ days and the 95% point is not reached until 83 days. Thus these are quite legitimate Trouble Tickets due to Verizon's failure to provide this information on a timely basis (back-up data can be found on Exhibits Q, R and S).

15. Verizon signed Consent Decree (FCC 00-92), which in the absence of a specific metric reflects a baseline standard for Trouble Ticket resolution. The Consent Decree contains a metric titled "% Missing Notifier Trouble Ticket PONs Cleared within 3 Business Days". The Definition of the metric specifically states that "The ticket is considered cleared when Bell Atlantic has either requested the CLEC to resubmit the PON or communicated the current status of the PON and provided the delayed status notifier to the CLEC."
16. Unfortunately, what Verizon frequently defines as the current status is noting more than a restatement of the last notifier that was sent to the CLEC whereas the work itself is at a later status and Verizon has failed to issue the missing notifier which would not only have updated their status reference file but would have precluded the Trouble Ticket. MetTel has demonstrated that there is a significant

percentage of Trouble Tickets that do not receive the correct status or notifier within 3 business days<sup>1</sup> where subsequent receipt of the notifier indicates the work was completed prior to the initiation of the Trouble Ticket<sup>2</sup> let alone the three days Verizon has to respond. This indicates that in 3+ days, Verizon neither sent the notifier nor updated their status files. Based on Verizon's statements on the top of page 9 of the Ex Parte, they clearly state they achieve an approximate 50% level of resolving Trouble Tickets: they do not mention their achievement of the defined standard. MetTel has constructed an aging analysis for NJ Trouble tickets (Exhibit T) which demonstrates that 95% of the Trouble Tickets are not resolved until the 26<sup>th</sup> day. While Verizon has complained that the number of Trouble Tickets is small, the number of PONs in New Jersey is small.

17. Verizon has taken strong exception to MetTel's selection of 3 days to test for expected results. As MetTel noted, this was a relatively old analysis, so we re-accomplished it by examining the usage patterns of customers who were active in March 2002. The data analysis demonstrates that the three day rule achieves a high accuracy standard (approximately 98%) and allows a rational gap for possible business non use over weekends or possible other holidays. This is illustrated in Exhibit U.

18. MetTel compared the Verizon November, December & January results for metrics OR-1-02, -04 & -06 and OR-2-02, -04 & -06 (Exhibit V) for both UNE

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<sup>1</sup> 32% for November and December 2001

<sup>2</sup> 98% for the same period



and Resale with Verizon's published results (provided as Attachment 15 to the McLean, Wierzbicki/Webster/Canny Supplemental Declaration (Supplemental Declaration)) and determined that there was significant disagreement about the numbers of observations and the achieved scores. MetTel calculated that Verizon had failed \*\*\*\* of the \*\*\*\*\* sub metrics while Verizon stated they had passed \*\*\*\* of the \*\*\*\*. After MetTel receives the November, December and January "Flat Files" which Verizon has committed to provide during the week of April 22, 2002, MetTel will recalculate these metrics and submit its findings. In the interim, MetTel's best available data indicates that Verizon has failed UNE Metrics OR-1-04 and OR-2-04 for November and December, and Resale Metrics OR-1-02 and OR-2-02 for November, OR-1-04 for November and December, and OR-2-04 for December 2001. Verizon's extensive in-house coordination notwithstanding. Contrary to Verizon's claim, MetTel's calculations for November, December and January take into account all the exclusions raised by Verizon. For example, PON CE17511052 which Verizon addressed in its Ex Parte. MetTel revisited this particular PON and MetTel had marked it as "having met the metric" with an elapsed time of two hours and thirty one minutes.

19. MetTel noted that it had sent \*\*\*\* PONs that were not reflected in Attachment 2 of the Supplemental Declaration and Verizon devotes some space to discussing them. Verizon has noted that \*\*\*\* of these were Rejects and \*\*\*\* were Confirmations. At the Ex Parte, Verizon stated that many of these PONs were PONs, which had failed the "Basic front-end edits" which were not placed in the

Master PON file and hence not counted. Verizon stated that the way to identify these PONs is that the “LSRN” field would be blank. Actually, the field has been determined to be the “LSR NO.” field on the Error Message. This field (No. 3 on page 114 of 379 of the LSOG 4.8.1 Business Rules; page 51 of 173 of the LSOG 4.8.1 EDI User Guide) titled “Local Service Request Number” is specified to contain Verizon’s order identification number. MetTel has not yet determined if the absence of this field has been documented to indicate that the PON failed the front- end edits (no mention of this being contained in the Error Messages Documentation or for that matter in the NJ Carrier to Carrier Guidelines). In any case, the \*\*\*\* Confirmations did not fail the front-end edits. \*\*\*\*\* of these Confirmation PONs are on the MetTel list because MetTel tracks PONs from the send date through completion, and the FOC was sent in January versus the December PON send date. MetTel believes this is a more accurate method than the Verizon methodology because under the Verizon methodology PONs where the work has not been done do not get counted. The remaining 8 PONs fit the same month criteria, passed the front end edits and should have been counted in Verizon’s data. It should also be noted that 1 of the Reject PONs is out of period by Verizon’s flawed methodology. Also on the subject of Rejects, \*\*\*\* of the \*\*\*\*\* definitely had the LSR No field completed so they did not fail the front-end edits. These too should have been included in Verizon’s calculations and represent a failure in the metrics methodology. \*\*\*\*\* PONs had originally been directed to the NE/NY TISOC, but were subsequently directed to the proper

TISOC. Of the PONs which had a blank LSR No Field, 3 had apparently manual messages indicating they did pass the front end and were reviewed by Reps.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct according to the books and records of MetTel and the best of my knowledge.

Executed on April 19, 2002

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Elliot M. Goldberg